

HA 4145

## COMMENT SHEET

STAT TO:   
Office of Congressional Affairs

STAT FROM: Compensation, Automation, and Planning/op

SUBJECT: H.R. 4145, To Provide That Wage Schedules for All Prevailing  
Rate Employees be Adjusted in Accordance with Public Policy

Subject bill has been reviewed by the Office of Personnel and our  
position is as follows:

- ☒ No objection.  
☐ Continue monitoring/OP interest.  
☒ No CIA equities.  
☐ Seek CIA exemption.  
☐ Advise OP when enacted.  
☒ Comments.

This bill would amend 5 U.S.C. §5343(d) (2) to eliminate the distinction  
between prevailing rate employees of the Department of Defense and all other  
prevailing rate employees in establishing their wage schedules and rates.

Although 5 U.S.C. §5342 expressly exempts the Agency from Subchapter IV  
on Prevailing Rate Systems, the Agency administratively has adopted many of  
its provisions. Nevertheless, this bill would have no impact upon the Agency  
since the change affects only Department of Defense prevailing rate employees.

STAT

22 April 1988  
Date

Name Signed

100TH CONGRESS  
2D SESSION

# H. R. 4145

To amend title 5, United States Code, to provide that the wage schedules for all prevailing rate employees be adjusted consistently in accordance with public policy.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 1988

Mr. BUSTAMANTE introduced the following bill; which was referred to the  
Committee on Post Office and Civil Service

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## A BILL

To amend title 5, United States Code, to provide that the wage schedules for all prevailing rate employees be adjusted consistently in accordance with public policy.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. UNIFORM METHOD FOR ESTABLISHING WAGE**  
4       **SCHEDULES AND RATES.**

5       Paragraph (2) of section 5343(d) of title 5, United  
6       States Code, is amended to read as follows:

7       “(2) When a lead agency determines that there is a  
8       number of comparable positions in private industry insuffi-

1 cient to establish the wage schedules and rates, such agency  
2 shall establish those schedules and rates on the basis of—

3 “(A) local private industry rates; and

4 “(B) rates paid for comparable positions in private  
5 industry in the nearest wage area that such agency de-  
6 termines is most similar in the nature of its population,  
7 employment, manpower, and industry to the local wage  
8 area for which the wage survey is being made.”.

9 **SEC. 2. EFFECTIVE DATE; INITIAL ADJUSTMENT.**

10 (a) **EFFECTIVE DATE.**—The amendment made by this  
11 Act shall, with respect to any prevailing rate employee,  
12 become effective as of the first day of the first applicable pay  
13 period beginning on or after the later of—

14 (1) October 1, 1988; or

15 (2) the ninetieth day after the date of enactment  
16 of this Act.

17 (b) **INITIAL ADJUSTMENT.**—In the case of a prevailing  
18 rate employee employed by the Department of Defense im-  
19 mediately before the effective date (with respect to such em-  
20 ployee) of the amendment made by this Act, the rate of pay  
21 payable to such employee shall, as of such effective date (and  
22 until the next pay adjustment thereafter), be adjusted by such  
23 amount as may be necessary to comply with the amendment  
24 made by this Act, except that the rate which becomes pay-  
25 able as a result of that adjustment shall be at least equal to

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- 1 the rate which was payable immediately before such effective
- 2 date.

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